

## Environmental Protection Agency

§ 52.477

pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Metropolitan Washington, DC-MD-VA nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(b) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, Washington, DC-MD-VA moderate nonattainment area has attained the 1997 8-hour ozone NAAQS by the applicable attainment date of June 15, 2010. Therefore, EPA has met the requirement pursuant to CAA section 181(b)(2)(A) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Washington, DC-MD-VA moderate nonattainment area will not be reclassified for failure to attain by its applicable attainment date pursuant to section 181(b)(2)(A).

[77 FR 1413, Jan. 10, 2012, as amended at 77 FR 11741, Feb. 28, 2012]

### § 52.476 Control strategy: ozone.

(a) EPA approves as a revision to the District of Columbia State Implementation Plan the 15 Percent Rate of Progress Plan for the District of Columbia's portion of the Metropolitan

Washington, D.C. ozone nonattainment area, submitted by the Director of the District of Columbia Department of Health on April 16, 1998.

(b)–(c) [Reserved]

(d) Based upon EPA's review of the air quality data for the 3-year period 2003 to 2005, EPA has determined that the Washington severe 1-hour ozone nonattainment area attained the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2005. EPA also has determined that the Washington severe 1-hour ozone nonattainment area is not subject to the imposition of the section 185 penalty fees.

(e) EPA approves revisions to the District of Columbia State Implementation Plan consisting of the 2008 reasonable further progress (RFP) plan, reasonably available control measures, and contingency measures for the Washington DC-MD-VA 1997 8-hour ozone moderate nonattainment area submitted by the Acting Director of the District of Columbia Department of the Environment on June 12, 2007.

(f) EPA approves the following 2008 RFP motor vehicle emissions budgets (MVEBs) for the Washington, DC-MD-VA 1997 8-hour ozone moderate nonattainment area submitted by the Director of the Virginia Department of Environment Quality on June 12, 2007:

#### TRANSPORTATION CONFORMITY EMISSIONS BUDGETS FOR THE WASHINGTON, DC-MD-VA AREA

Type of control strategy SIP	Year	VOC (TPD)	NO <sub>x</sub> (TPD)	Effective date of adequacy determination or SIP approval
Rate of Progress Plan .....	2008	70.8	159.8	September 21, 2009 (74 FR 45853), published September 4, 2009.

(g) *Determination of attainment.* EPA has determined, as of February 28, 2012, that based on 2007 to 2009 and 2008 to 2010 ambient air quality data, the Washington, DC-MD-VA moderate nonattainment area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs re-

lated to attainment of the standard for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

[64 FR 42602, Aug. 5, 1999, as amended at 66 FR 631, Jan. 3, 2001; 69 FR 43522, July 21, 2004; 73 FR 43361, July 25, 2008; 76 FR 58118, Sept. 20, 2011; 77 FR 11741, Feb. 28, 2012]

### § 52.477 Control strategy: Particulate matter.

*Determination of Attainment.* EPA has determined, as of January 12, 2009, the District of Columbia portion of the Metropolitan Washington, DC-MD-VA nonattainment area for the 1997 PM<sub>2.5</sub>

## § 52.478

NAAQS has attained the 1997 PM<sub>2.5</sub> NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration and associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 1997 PM<sub>2.5</sub> NAAQS.

[74 FR 1148, Jan. 12, 2009]

### § 52.478 Rules and Regulations.

(a) On April 8, 1993, the District of Columbia submitted a letter to EPA declaring that there are no sources located in the District belonging to the following VOC categories:

- (1) Automobile and light-duty truck manufacturing;
- (2) Coating of cans, coils, paper, fabric and vinyl, metal furniture, large appliances, magnet wire, miscellaneous metal parts and products, and flatwood paneling;
- (3) Storage of petroleum liquids in fixed-roof tanks and external floating-roof tanks;
- (4) Bulk gasoline plants and terminals;
- (5) Petroleum refinery sources;
- (6) Petroleum refinery equipment leaks;
- (7) Manufacture of synthesized pharmaceutical products, pneumatic rubber tires, vegetable oil, synthetic organic chemicals (fugitive VOCs and air oxidation), and high density polyethylene, polypropylene and polystyrene resins;
- (8) Graphic arts systems;
- (9) Storage, transportation and marketing of VOCs (fugitive VOCs from oil and gas production and natural gas and gasoline processing).

(b) On September 4, 1997, the District of Columbia submitted a letter to EPA declaring that there are no sources located in the District which belong to the following VOC categories:

- (1) Coating of plastic parts (business machines and other);
- (2) Aerospace;
- (3) Shipbuilding and repair;
- (4) Automobile refinishing;
- (5) Industrial wastewater;

## 40 CFR Ch. I (7–1–13 Edition)

(6) Distillation or reactor or batch processes in the synthetic organic chemical manufacturing industry;

- (7) Volatile organic storage;
- (8) Wood furniture coatings;
- (9) Offset lithography;
- (10) Clean-up solvents.

(c) On March 24, 2011, the District of Columbia submitted a letter to EPA declaring that there are no sources located in the District which belong to the following VOC categories:

- (1) Auto and Light-duty Truck Assembly Coatings;
- (2) Fiberglass Boat Manufacturing Materials;
- (3) Paper, Film and Foil Coatings;
- (4) Flatwood Paneling.

[64 FR 57781, Oct. 27, 1999, as amended at 78 FR 24997, Apr. 29, 2013]

### § 52.479 Source surveillance.

(a) [Reserved]

(b) The requirements of § 51.213 are not met with respect to the strategies for carpool locator service. The remaining transportation measures in the previously federally-promulgated implementation plan have been mooted by court decision (*District of Columbia v. Costle*, 567 F. 2d 1091 (D.C. Cir 1977)) or rescinded by EPA.

[46 FR 61263, Dec. 16, 1981, as amended at 51 FR 40677, Nov. 7, 1986]

EFFECTIVE DATE NOTE: At 78 FR 33984, June 6, 2013, § 52.479 was removed and reserved, effective Aug. 5, 2013.

### § 52.480 Photochemical Assessment Monitoring Stations (PAMS) Program.

On January 14, 1994 the District of Columbia's Department of Consumer and Regulatory Affairs submitted a plan for the establishment and implementation of a Photochemical Assessment Monitoring Stations (PAMS) Program as a state implementation plan (SIP) revision, as required by section 182(c)(1) of the Clean Air Act. EPA approved the Photochemical Assessment Monitoring Stations (PAMS) Program on September 11, 1995 and made it part of the District of Columbia SIP. As with all components of the SIP, the District of Columbia must implement